Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC

In the Matter of	)	
	)	WC Docket No.05- 271
Consumer Protection in the Broadband Era	)	

COMMENTS OF THE
ALARM INDUSTRY COMMUNICATIONS COMMITTEE

The Alarm Industry Communications Committee (AICC), by its attorneys, hereby submits comments on the Commission's Notice of Proposed Rulemaking (NPRM)[1] in the above-captioned proceeding in which the Commission asks whether certain consumer protection requirements should be applied to all providers of broadband Internet access service, regardless of the underlying technology. AICC supports the imposition of certain consumer protections on all providers of broadband Internet access service, in order to ensure reliable, uninterrupted service to end users.

AICC is comprised of representatives of the Central Station Alarm Association (CSAA), National Burglar & Fire Alarm Association (NBFAA), the Security Industry Association (SIA),[2] Bosch Security Systems, Digital Monitoring Products, Digital Security Control, Telular, HSM (formerly known as Honeywell Monitoring), Honeywell Security, Vector Security, Inc., ADT Security Services, Inc., AES- IntelliNet, GE Security, and Security Network of America. AICC member companies protect a wide range of sensitive facilities and their occupants from fire,

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[1] *Consumer Protection in the Broadband Era*, Report and Order and Notice of Proposed Rulemaking, WC Docket No. 05-271, FCC 05-150, (rel. Sept. 23, 2005) (NPRM).

[2] CSAA, NBFAA and SIA are associations comprised of central station alarm companies, alarm monitoring centers, alarm installation companies and alarm manufacturing companies. Their memberships represent the majority of such companies operating in the United States.

burglaries, sabotage and other emergencies. Protected facilities include government offices, power plants, hospitals, dam and water authorities, pharmaceutical plants, chemical plants, banks, and schools and universities. In addition to these commercial and governmental applications, alarm companies protect an increasing number of residences and their occupants from intruders, burglary and fire. Alarm companies also provide medical alert services for obtaining ambulances in the event of medical emergencies. Currently, there are approximately 26 million central station alarm systems installed in homes and businesses in the United States, and an estimated 20 million homes in the United States and their occupants are protected by such systems.

A vital aspect of a central station alarm system is the monitoring function performed in connection with that system. When an alarm is set off, the alarm equipment on the customer's premises sends a signal to the central station (the alarm monitoring center) to report the emergency situation and the central station notifies the appropriate public safety agency. As a result of this function, consumers protected by central station alarm services have access to public safety providers (such as police and fire departments) even when the consumer may be unable to dial 911.

Accordingly, to provide continuous protection, central station alarm systems require reliable and uninterrupted communications service that operates 24 hours a day to monitor the businesses and residential customers using such systems, and to report potential emergency situations to the appropriate public safety agencies. Therefore, all technologies used by consumers for communications, and which may be used in connection with the consumers' central station alarm system, must operate continuously and reliably to ensure that consumers receive the level of protection that they expect and to which they are entitled. Just as consumers

expect to be able to, and should be able to, access 911 services 24 hours a day, consumers with central station alarm systems expect that system to function 24 hours a day.

Historically, the underlying communications network used in conjunction with central station alarm systems has been the public switched telephone network (PSTN), which has redundancy and power backup systems to ensure continuous and reliable functioning. Central station alarm systems also contain redundancy and power backup systems to ensure continuous and reliable functioning. Even the alarm panel installed at the customer's premise has a 24-hour battery backup so that the alarm continues to operate even during a power outage.

Providers of communications using new technologies, however, such as cable systems and VoIP providers, do not necessarily have the same level of redundancy and power backup as the PSTN. For example, it is our understanding that at least one cable provider does not have redundant computer capabilities and, as a result, when routine computer upgrades are required, the entire system is taken down for some period of time. If a consumer is relying on such a company for its communications network and an emergency occurs while the company is performing routine maintenance, that consumer will not be able to call 911. And, if that consumer has a central station alarm system and there is a security event during the period of routine maintenance, although the alarm on the premises will sound, the alarm signal will not be sent to the central station and, therefore, emergency services will not be dispatched.

All providers of broadband Internet access service also should be required to ensure that they do not interfere with other public safety mechanisms employed by subscribers, such as central station alarm services. The need for such a requirement is not theoretical. Alarm companies have been encountering an increasing number of problems when their customers replace traditional wireline telephone service with a broadband service or VoIP service. In some

cases the broadband service provider installs its service by cutting the consumer's connection to the PSTN or disconnects the alarm panel entirely. In other cases, the new service provider connects service or instructs the consumer to connect service in a manner that impairs the ability of the alarm panel to seize the lines needed to send alarm data to central stations. In addition, many existing digital communicator alarm control panel formats are not compatible with some broadband services, such as VoIP, and may preclude alarm data from being reliably transmitted to central stations.

When a broadband service provider fails to connect the customer's alarm panel to the new wiring and/or fails to provide an effective communication path to the alarm central station, the customer's central station alarm protection has been terminated. Unfortunately, in most cases customers will not realize this until there is an alarm and their alarm system does not work as before or an emergency situation occurs and the police, fire and emergency medical services do not arrive on the scene. Moreover, this situation could be prevented if the alarm system provider was contacted before the new service was connected. At a minimum, a customer with an alarm system should be advised to contact the alarm company to ensure that his or her alarm will function properly when the new broadband or VoIP service is installed. While such notification is no replacement for a fully functioning alarm system, at least the customer will not be operating under the false impression that there is no change in his or her alarm system and the level of protection it provides.

With respect to the specific consumer protections identified in the NPRM, AICC also supports the imposition of network outage reporting, Section 214 discontinuance reporting and slamming rules on broadband Internet access service providers, regardless of technology. Pursuant to the Commission's slamming rules, broadband service providers should be prohibited

from making an unauthorized change in a subscriber's selection of communications service provider. Especially in light of the fact that different levels of reliability may be associated with different network providers, consumers should be able to select the communications network provider in connection with his or her alarm service that provides continuous, reliable service. Broadband service providers also should be required to report network outages and to provide notice of discontinuance of service to affected customers. Outages of the underlying communications network used in conjunction with an alarm system will affect the reliability of the customer's alarm service. Therefore, information about outages will assist consumers in ensuring that their communications provider provides the level of reliability that they need. AICC also supports a requirement that broadband Internet access service providers notify consumers prior to discontinuing service so that affected consumers can make alternative communication service arrangements and ensure that there is not a break in their alarm service.

Based on the foregoing, AICC asks the Commission to adopt the requirements discussed herein.

Respectfully submitted,

ALARM INDUSTRY COMMUNICATIONS COMMITTEE

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